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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/558,656	04/26/2000	Miyuki Enokida	862.C1901	9979

5514 7590 07/21/2004

FITZPATRICK CELLA HARPER & SCINTO  
30 ROCKEFELLER PLAZA  
NEW YORK, NY 10112

EXAMINER

TO, BAOQUOC N

ART UNIT PAPER NUMBER

2172

DATE MAILED: 07/21/2004

26

Please find below and/or attached an Office communication concerning this application or proceeding.

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## Office Action Summary

Application No.

09/558,656

Applicant(s)

ENOKIDA ET AL.

Examiner

Baoquoc N To

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 23 April 2004.  
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 21, 23-27, 51, 53-57 and 64 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 21, 23-27, 51, 53-57 and 64 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. Claims 21, 23-27 and 51, 53-57 and 64 are amended in the amendment filed on 04/23/04. Claims 21, 23-27 and 51, 53-57 and 64 are pending in this application.

### ***Response to Arguments***

2. Applicant's arguments filed 04/23/2004 have been fully considered but they are not persuasive.

The applicant argues "it was said that the inode is a common attribute for all extracted files. Applicants respectfully submit that even if such a reading is correct (which is not conceded), the extracted inode information is not thereafter "attach to directory data as meta-data corresponding to data files belonging to the directory" and "there is no teaching of the reconciliation log, and certainly there is no teaching of the reconciliation log for a common meta-item whose content is included in all of the data files."

The examiner respectfully disagrees with the above argument. Carter suggests "to reconcile two clouds, the reconciliation process in the master clouds fetches the other cloud's reconciliation log, which contains the set of files updates that need to be applied. Reconciliation log entries contain the following information: (1) filename-the complete path of the file on which the operation was performed; (2) operation-the operation that was performed (e.g., create, delete, rename, append, ...); (3) inode-the address of the file's inode that could be extracted from the directory file that of the directory which the file resides, but for simplicity it is replicated in the log entry; (4) previously timestamp (or version

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number)-information about the state of the file when it was last reconciled, which can be used to detect concurrent update on both clouds." (col. 36, lines 42-59)

The reconciliation log contains the entries wherein all of the operations have been done in previous processes. The inode is the meta-data which extracted from all the files in the directory and stored in the data structure (col. 11, lines 34-37) wherein the inode meta-data the common data for example addresses....

The meta-data (inode) appended in the same directory for easy allocation process. In order to extracting the addresses from the inode, the system automatically searches all files for the metadata and then stored in the data structure. Unless the applicants can prove more Carter's method is not the same or explicitly define in the claim language; otherwise, Carter is taught the same concept as recited in the claimed limitations.

Claim 23-27 and 54-57 are depended on claims 1, 51 and 64 therefore; they are rejected under the same reasons.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 21, 23-26, 51, 53-56 and 64 are rejected under 35 U.S.C. 103(a) as being unpatentable over Carter et al. (US. Patent No. 5,987,506).

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Regarding on claims 21, 51 and 64, Carter teaches a data processing method comprising the steps of:

reading multiple data files (files in the directory) belonging to an indicated directory, each of the multiple data files having both data (content in the file) and meta-data (the address of file inode) (col. 36, lines 46-47);

searching (before extracting searching is required) the meta-data of the data files read in said reading step for a common meta-data item whose content is included in all of the data files read in said reading step, and extracting (extracting inode's address) the common meta-data item from the data files (col. 36, lines 49-51); and

(d) attaching (attach) the meta-data generating in said generating step to directory data as meta-data corresponding to the data files belonging to the directory (col. 36, lines 45-49).

Carter does not explicitly teach generating meta-data for the directory by using the common meta-data item extracted in said extracting step. However, Carter teaches creating meta-data (inode's address) following the extracting the address of file's inode step wherein the extracting step search for the meta-data which corresponding to the common meta-data for example addresses and others attributes (col. 36, lines 45-50). This teaches the address is the common attributes for all the extracting files. Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to modify creating address of file's inode to from extracting the file attributes (file

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addresses) as taught by Carter to allow all data in the same directory having the same meta-data classification.

Regarding on claims 23 and 53, Carter teaches when in said searching step there is no common meta-data item, the meta-data for the directory is generated based on a meta-data item whose content is included in most of multiple data files read in said reading step (col. 36, lines 45-50).

Regarding on claims 24 and 54, Carter teaches generating a new directory, and recording therein data files to which are attached meta-data which includes meta-data items used in the meta-data for the directory generated in said generating step; wherein, in said attaching step, the meta-data generated in said first generating step is attached to directory data corresponding to the new directory (col. 36, lines 45-50).

Regarding on claims 25 and 55, Carter teaches generating a new directory, and recording therein data files to which are attached meta-data which does not include meta-data items used in the meta-data for the directory generated in said first generating step(col. 36, lines 45-50).

Regarding on claims 26 and 56, Carter teaches each data file include image data (file), audio data, or dynamic image data (col. 6, lines 21-35).

4. Claims 27 and 57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Carter et al. (US. Patent No. 5,987,506) in view of Van Maren et al. (US. Patent No. 5,579,516).

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Regarding on claims 27 and 57, Carter teaches in said attaching step, the meta-data generated in said generated step (col. 36, lines 45-50) except for appended to the end of the directory data. However, Van Maren teaches, "in the embodiment of fully sequentializing the data and meta-data written to the optical disk surface, the data and meta-data are written to the disk surface such that the ICBs appear first, the directories appear next, and the data appears last. This is illustrated in FIG. 3." (col. 5, lines 43-47). This teaches that meta-data appending to the end of the directory. Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to modify Carter system and method to include appending meta-data to the end of the directory as taught by Van Maren in order to combine multiples files into one file for easy transferring.

### ***Conclusion***

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will

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the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Jain et al. (US. Patent No. 6,463,444 B1)      Patent date: 10/082002

***Contact Information***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Baoquoc N. To whose telephone number is (703) 305-1949 or via e-mail BaoquocN.To@uspto.gov. The examiner can normally be reached on Monday-Friday: 8:00 AM – 4:30 PM, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached at (703) 305-9790.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks  
Washington, D.C. 20231.

The fax numbers for the organization where this application or proceeding is assigned are as follow:

(703) 872-9306 [Official Communication]

Hand-delivered responses should be brought to:

Crystal Park II  
2121 Crystal Drive  
Arlington, VA 22202



Application/Control Number: 09/558,656

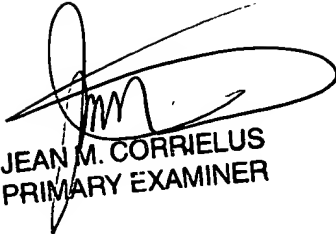
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Fourth Floor (Receptionist).

Baoquoc N. To

July 9, 2004



JEAN M. CORRIELUS  
PRIMARY EXAMINER